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AMIN & TUROCY, LLP
24TH FLOOR, NATIONAL CITY CENTER
1900 EAST NINTH STREET
CLEVELAND, OH 44114

EXAMINER
HUYNH, SON P

ART UNIT	PAPER NUMBER
2611	

DATE MAILED: 08/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/649,788	WONG ET AL.
	Examiner	Art Unit
	Son P. Huynh	2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>03</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>11 May 2005</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-76</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-76</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>22 October 2004</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

    1.☐ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____.

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 6/1/05, 10/4/04.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

05/11/2005 has been entered.

Response to Arguments

2.   Applicant's arguments with respect to claims 1-76 have been considered but are

moot in view of an alternative view of Ellis and Hirata references as discussed below.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4.   Claims 39-40, 72-76 are rejected under 35 U.S.C. 102(e) as being anticipated by

Ellis (US 2005/0028208).

Regarding claim 39, Ellis teaches a method of programming a recording system and for

providing token services (program guide information services) comprising:

receiving a token describing at least one of audio and/or visual program content

(receiving program guide information of program to be recorded – par. 0067, par. 0103);

requesting information from a server (e.g. facility 16, internet service system 235, –

figure 6c) sufficient to allow the recording system to record the audio and/or visual

program content described by the token (figure 19, par. 0163-0164);

receiving the requested information from the server (receiving the recording information

from the server – par. 0163-0164, figure 19);

programming the recording system to record the audio and/or visual program content

describer by the token (par. 0163-par. 0164, figure 19).

Ellis further discloses the remote access device polls the local interactive television

program guide to determine the status of interactive television program guide equipment

17, or more specifically, user television equipment 22, for example, the remote access

program guide may obtain information regarding whether the interactive program guide

is in use, what channel user television equipment (22) is tuned to, the status of remote

access link, available device, program have been purchased and viewed, selected

device to store the program, etc. (par. 0070, par. 0136) to obtain the audio and/or video

program content from the token to provide service, such as program guide information

service, parental setting, favorite channels, etc., to television distributing facility 16, the

program guide information comprises recording information, listings information,

parental control information, etc. (par. 0097-par. 0103). Thus, the token translation (ID

of tuned channel, title of program, device available, etc.) is inherently monitored to

obtain the audio and/or video program content from the token to provide services

(program guide information services) to a program content provider (distribution facility

16), the token services comprising one or more services (e.g., listings information,

parental control information, favorite setting information, etc.) additional to programming

the recording system (e.g., recording information);

Ellis further discloses providing token services to the program content provider based

on the audio and/or video program content described by the token (providing recording

of the selected program as described by schedule recording information/program

listings, favorite setting information, etc. to the distribution facility 16 –par. 0101- par.

0103, par. 0163-par. 0164 and figures 6c, 19).

Regarding claim 40, Ellis teaches recording the audio and/or visual program content at

the recording system (par. 0163-par. 0164, figure 19).

Regarding claim 72, Ellis teaches a method of programming a recording system

comprising:

receiving programming information (receiving program guide information – par. 0067);

receiving a token describing at least one of audio and visual content (program guide

data such as title, channel, etc. figures 8-11);

using the program information, programming the recording system to record the

described at least one of audio and visual content (figure 19, par. 0163);

Ellis further discloses the remote access device polls the user television equipment to

obtain information regarding channel tuned, the title of current program, the rating of the

current program, the status of remote access link, available device, etc. and provide

program guide information such as program recording information, television listing

information, favorite channel setting information, etc. to the television distribution 16

(figures 6c, 19, par. 0019, par. 0024, par. 0097-0103; par. 0136, par. 0163). Thus, the

information from the token is inherently extracted (so that information such as identifier

of channel tuned, title program, etc. is obtained) to provide token services (program

guide information) to a content provider (television distribution facility 16) based on the

token and information relating to a user of the recording system (e.g. user's

profile/preferences), the token services comprising one or more services (favorite

channel setting information, listings information, parental control information, etc.)

additional to programming the recording system (e.g. recording setting information).

Regarding claim 73, Ellis teaches the programming information is stored in memory

associated with the recording system (par. 0083), the method including converting the

received token into local programming data based on the stored programming

information (convert to a suitable format for display – par. 0084-par. 0086).

Regarding claim 74, Ellis teaches a method as discussed in the rejection of claim 72.

Ellis further discloses all functions are performed by using computer software (par.

0073). Inherently, the computer readable medium having computer executable

instructions for performing the steps of claim 72.

Regarding claim 75, Ellis teaches a method of programming a recording system

comprising:

receiving a token describing at least one of audio and visual content and information

relating to a source of the token (e.g., program guide data and other program guide data

such as title, channel, network, etc. figures 8-11, par. 0066-0067);

determining whether the token is from an authorized source (block potentially

objectionable programs, channels, services, genres, etc. par. 0120-par. 0125);

transmitting a request to a server to provide information sufficient to allow the recording

system to record at least one of audio and visual content described by the token

(transmitting recording information associated with program selected to be recorded to

distribution facility 16/internet service system (235) for scheduling selected program to

be recorded in specific storage device 31, 32, 47, 49, 56 – figures 3-5, 6c, 19 and par.

0163);

receiving the information from the server (e.g., receiving schedule recording information

from distribution facility 16/Internet service system –figures 6c, 19, par. 0163);

programming the recording system to record the at least one of audio and visual content

based on the received information (programming the storage device 31, 32, to record

the selected program – figure 19, par. 0163);

Ellis further discloses the remote access device polls the user television equipment to

obtain information regarding channel tuned, the title of current program, the rating of the

current program, the status of remote access link, available device, etc. and provide

program guide information such as program recording information, television listing

information, favorite channel setting information, etc. to the television distribution 16

(figures 6c, 19, par. 0019, par. 0024, par. 0097-0103; par. 0136, par. 0163). Thus, the

token is inherently monitored (e.g. by polling) to provide token services (program guide

information) to a content provider (television distribution facility 16) based on the token,

the token services comprising one or more services (favorite channel setting

information, listings information, parental control information, etc.) additional to

programming the recording system (e.g. recording setting information).

Regarding claim 76, Ellis teaches a method as discussed in the rejection of claim 75.

Ellis further discloses all functions are performed by using computer software (par.

0073). Inherently, the computer readable medium having computer executable

instructions for performing the steps of claim 75.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 1-38 and 41-71 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Ellis et al. (US 2005/0028208) in view of Hirata (US 6,374,406).

Regarding claim 1, Ellis teaches a system for facilitating programming of an associated

device (storage device)-figures 2b, 2d, 6a-6c) and for providing services to a program

provider (television distribution facility 16 – figure 6c), comprising:

a token service system (internet service system 235, remote program guide access

device i.e., PC 231) configured to provide token services (met by program guide

information-paragraph 0103) to the program provider (16), the token services

comprising one or more services (listings information, favorite settings, etc.) additional

to programming the associated device (par. 0103);

a client system configured to receive a message and tokens, (user television equipment 22, configured to receive a message and program guide information –figures 2b,2d, 6a-6c and par. 0070, lines 5-12; par. 0075, par. 0099, par. 101-par. 103); the token having program criteria (program channel, time, etc. 0067, par. 0101);

wherein the client system is configured to program operation of the associated device based on the token indicating program criteria (i.e., the user television equipment 22 is configured to program the recording device to record a selected program based on the recording command and program guide information received from remote access device, Internet service system, and distribution facility– figures 3-5, 6c par. 0075, par. 0097). Ellis further discloses the remote access device polls the user television equipment to obtain information regarding channel tuned, the title of current program, the rating of the current program, the status of remote access link, available device, etc. and provide program guide information such as program recording information, television listing information, favorite channel setting information, etc. to the television distribution 16 (figures 6c, 19, par. 0019, par. 0024, par. 0097-0103; par. 0136, par. 0163). Thus, the token translation (ID of tuned channel, title of program, device available, etc.) is inherently monitored to provide token services (program guide information) to the program content provider (distribution facility 16) based on the token program criteria. However, Ellis does not specifically disclose the message having an associated token.

Hirata teaches receiving a message having an associated token (receiving e-mail having video reservation information such as channel, speed, time, date – figure 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ellis to use the teaching of sending an associated token in the message as taught by Hirata in order to provide an alternative way to send control information in Internet medium.

Regarding claim 2, Ellis further teaches the associated device is a recording device operative to record at least one of audio and visual programming (par. 0101).

Regarding claim 3, Ellis further teaches the recording device is a digital recording apparatus (par. 0091).

Regarding claim 4, Ellis further teaches a programmable program list is operatively associated with the digital recording apparatus, the program list including program criteria indicative of selected programming to be recorded based on the token (met by program guide is used for selecting a program to be recorded– figures 7-8).

Regarding claim 5, Hirata further teaches the message is an electronic mail message (figures 3-4).

Regarding claim 6, Hirata further teaches the token (video recording reservation information) is an attachment to the electronic mail message (figures 3-4).

Regarding claim 7, Ellis teaches the electronic mail message is received by the client system from a remote server system (transmission device – col. 2, lines 10-23).

Regarding claim 8, Ellis further discloses the client system (22) accepts program guide information and recording request, and programs to record selected programming based on each accepted program guide data and recording request (par. 0081). Necessarily, the client system (22) includes computer executable instructions for automatically accepts tokens (program guide information and recording request) from a predetermined source (remote control 40 or user interface 52) and, in turn, programming to record predetermined programming based on each accepted token (record selected program based on each accepted program guide data and recording request).

Regarding claim 9, Ellis further discloses the user selection of a program to be recorded is sent to storage device 31, 32 for schedule to recording device to record the selected program (par. 0083- par. 0084). Necessarily, the program message including a token having program criteria selected at the client system (e.g. channel, time, title, etc.), the selected recipient system is met by selected storage device such as storage device 31, 32.

Regarding claim 10, Ellis in view of Hirata teaches a system as discussed in the

rejection of claim 9. Necessarily, the token of the program message has program

criteria indicative of at least one of predetermined audio and visual programming

selected at the client system (e.g. title, time, etc. of the selected program to be

recorded-par. 0187) so that client system identifies and records the selected program.

Regarding claims 11-12, the additional limitations as claimed correspond to the

additional limitations of claims 5-6, and are analyzed as discussed with respect to the

rejection of claims 5-6.

Regarding claim 13, the additional limitations as claimed correspond to the additional

limitations of claim 7, and are analyzed as discussed with respect to the rejection of

claim 7. Hirata further discloses the electronic message having the token indicative of

the selected program criteria (video reservation information – figure 3).

Regarding claim 14, Ellis further discloses the program selected by the user is recorded

in a predetermined storage device based on the information provided in the message

(par. 0187). Necessarily, the client system is programmed to automatically program the

associated device based on the token being predetermined program criteria.

Regarding claim 15, Ellis teaches a system for facilitating recording of at least one of

audio and visual information and providing services (program guide information and

non-program guide information) to a broadcaster (facility 16), comprising:

a token service system (met by Internet service system 235 and remote program guide

access device i.e., PC 231– figure 6c) operable to provide token services (met by

program guide information-paragraph 0103) to the broadcaster (16), the token services

comprising one or more services (listings information, favorite settings, recording

information etc.) to recording at least at least one of selected audio and visual broadcast

programming (figure 19, par. 0099-par. 0103, par. 0163);

a recording device (user television equipment which includes storage devices 31,32-

figure 3) programmed to receive electronic message and token (receiving program

guide information –par. 0097-par. 0100; par. 0103-par. 0104, par. 0119), the token

having program criteria indicative of the at least one of selected audio and visual

broadcast programming, the recording device being programmable to record a

predetermined broadcast program based on the token (storage device is scheduled to

record the selected program based on the information provided in the request –par.

0163-par. 0164); and the token service system extracting token information to provide

token service to the broadcaster based on the token (met by the remote control

device/Internet Service system polls the user equipment for information regarding

program title, channel tuned, device available, program rating of channel tune, etc. and

provide program guide information such as favorite settings, listings information,

recording information, etc. to the distribution facility 16 based on the program guide

information – par. 0097-0103; par. 0136-par. 0139). However, Ellis does not specifically

disclose the electronic mail messages having an associated token.

Hirata teaches receiving electronic mail messages having an associated token

(receiving e-mail having video reservation information – figure 3). Therefore, it would

have been obvious to one of ordinary skill in the art at the time the invention was made

to modify Ellis to use the teaching of sending an associated token in the message as

taught by Hirata in order to provide an alternative way to send control information in

Internet medium.

Regarding claim 16, Ellis further teaches a client device (set top box 28 or remote

control 40 –figure 3) which communicates with the recording device (31, 32– figure 3)

for programming operation of the recording device based on the program criteria of the

corresponding token (par. 0081-par. 0084).

Regarding claim 17, Ellis further teaches the client device (e.g. set top box 28 figure 3)

is programmed to program operation of the recording device in response to accepting

the corresponding token at the client device (schedule program recording in response to

accepting program recording request, and record the requested program when

scheduled time is approached – par. 0163-par. 0164).

Regarding claim 18, Ellis in view of Hirata discloses a system as discussed in the

rejection of claim 17. Hirata further discloses the recording device has a programmable

list identifying broadcast programming (program selected to be record on a

predetermined channel) to be recorded by the recording device (figures 10-11). Hirata

further discloses recording reservation data previously set can be deleted based on the

command character string (figure 8, col. 7, line 35-col. 8, line 58). Necessarily, the

programmable list being modified based on the corresponding token being accepted at

the client device and passed to the recording device.

Regarding claim 19, Ellis further teaches the broadcast programming identified by the

token is broadcast at a predetermined time on a predetermined channel for a

predetermined duration (figures 7-8).

Regarding claim 20, Ellis in view of Hirata teaches a system as discussed in the

rejection of claim 16. Ellis teaches the client device (e.g., set top box, remote controller

– figure 3) is programmed to send a message to a selected recipient system (selected

storage device -figure 3). Necessarily, the message including a token (information of

program to be recorded in the storage device) having program criteria (program times,

channels, etc.) indicative of broadcast programming selected at the client device so that

the storage device performs predetermined operation (i.e., recording) as indicated in the

message.

Regarding claim 21, the limitations as claimed correspond to the limitations of claim 13,

and are analyzed as discussed with respect to the rejection of claim 13.

Regarding claim 22, Ellis teaches a remote client device (40– figure 3) programmed for

sending an electronic mail message to the recording device (31, 32– figures 3-6b)

having a token indicative of the selected broadcast programming (par. 0081-par. 0085,

par. 0099-par. 0100).

Regarding claims 23-24, the limitations as claimed correspond to the limitations of

claims 3, 6 respectively, and are analyzed as discussed with respect to the rejection of

claims 3, 6.

Regarding claim 25, Ellis teaches a system for facilitating programming of a recording

means (figure 3), comprising:

means (set top box) for receiving a message and token (program guide information), the

token having program criteria indicative of a selected broadcast program (figures 3, 6

par. 0072, par. 0075, par. 0080);

means (remote control access, Internet service system – figure 6c) for monitoring the

content of the token to provide token service (par. 0099 -par. 0103, par. 0132, par.

0136-par. 0138; par. 0119);

means (Internet service provider 235, remote access device i.e., PC – figure 6c) for

providing token services to a provider of the broadcast program (distribution facility 16),

the token services provided based on the content of the token (content of program

guide information (e.g., reminder information, listing information, recording information,

message information, etc.), the token services comprising one or more services

additional to programming the recoding means (listings information, recording

information, etc. par. 0099-0103);

means (set top box 28, remote control 40 – figure 3) for programming the recording

means (31, 32) to record the selected broadcast program based on the program criteria

of the token (schedule program recording in response to received command – figures 3,

19, par. 0163-0164). However, Ellis does not specifically disclose the message having

an associated token.

Hirata teaches receiving message having an associated token (receiving e-mail

message having video reservation information – figure 3). Therefore, it would have been

obvious to one of ordinary skill in the art at the time the invention was made to modify

Ellis to use the teaching of sending an associated token in the message as taught by

Hirata in order to provide an alternative way to send control information in Internet

medium.

Regarding claim 26, Ellis further teaches the broadcast program correspond to at least

one of audio and visual programming (figures 7-8,19).

Regarding claims 27-29, the limitations as claimed correspond to the limitations of

claims 5-6, 18, and are analyzed as discussed with respect to the rejection of claims 5-

6, 18.

Regarding claim 30, Hirata further discloses means for accepting the token, the

modifying means being responsive to accepting the token (e.g., the receiver receives

the "video cancel" in the message and deletes the recording data previously set (figure

7, line 35-col. 8, line 58).

Regarding claim 31, Ellis in view of Hirata teaches a system as discussed in the

rejection of claim 25. Ellis further teaches means (40, 46 figures 3-5) for selecting

broadcast programming and sending message indicative of the selected broadcast

programming (par.0089, par. 0099-par. 0100).

Regarding claim 32, Ellis discloses a method for facilitating of an associated recording

device (user television equipment 22 – figure 2b, 2d) and for providing services to a

content provider (distribution facility 16), the method comprising:

receiving a message and token indicative of program criteria (receiving message and

program guide information includes message information, reminder information,

schedule recording information, listing information, etc. -par. 0103);

Ellis further discloses processing circuitry in set top box 28 formats the received video,

audio and data signals into a digital file format (par. 0084-par. 0086). The remote

access device further polls the user equipment device for information such as channel

tune, title of program received, device available, etc. and provide the program guide

information to user television equipment (par. 132, par. 136-139). Necessarily, the token

is translated and the token translation is monitor to provide token services.

Ellis also discloses providing token services to the content provider based on the token

(providing services such as reminding, recording, etc. based on program guide

information to the distribution facility 16– figures 6c, 19; par. 0101, par. 0163-par. 0164),

the token services comprising one or more service additional to programming the

associated recording device (e.g. recording information, favorite setting, etc. – par.

0099-par. 0103); and

programming operation of the associated recording device based on the token (e.g.,

program recording of the associated recording device based on the program guide

information- figure 19, par. 163-164). However, Ellis does not specifically disclose the

messages having an associated token.

Hirata teaches receiving messages having an associated token (receiving e-mail having

video reservation information – figure 3). Therefore, it would have been obvious to one

of ordinary skill in the art at the time the invention was made to modify Ellis to use the

teaching of sending an associated token in the message as taught by Hirata in order to

provide an alternative way to send control information in Internet medium. .

Regarding claims 33-35, the additional limitations as claimed correspond to the additional limitations as claimed in claims 18, 26, 19, and are analyzed with respect to the rejection of claims 18, 26 and 19.

Regarding claim 36, Hirata discloses receiving character string and modify the recording reservation data previously set based on the character string (figure 8, col. 7, line 21-col. 8, line 59). Thus, prior to modifying, the method further includes accepting the token (i.e., character string).

Regarding claim 37, Hirata further discloses the step of accepting occurs automatically (performed by computer software) in response to the message being from a predetermined authorized source (col. 7, line 21-col. 8, line 58).

Regarding claim 38, Ellis teaches the associated device is a recording device (storage devices 31, 32, figure 3), the method further including selecting broadcast programming at a remote client system (22 or 24, 231 – figures 6a-6c) and sending an electronic mail message to the recording device (par. 0119). Hirata discloses the electronic mail having token (reservation information – figure 3) of the selected broadcast programming. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ellis to use the teaching as taught by Hirata in order to provide an alternative way to send information in Internet medium.

Regarding claim 41, Ellis teaches a system to facilitate programming of an associated

recording system, comprising:

a token service system (e.g. personal computer 231, internet service system 235 –

figure 6c) to provide token services to a program provider (16) (internet service system

and remote program guide access device provide program guide information to

distribution facility 16 – par. 0099-0103, figure 6c);

a client system (22– figures 2b,2d, 3, 6a-6c) programmed to receive a message and a

token (program guide information) representing a corresponding program of at least one

of an audio and visual program from a remote computer system (24, 16, 231 – figures

6a – 6c, par. 0103); wherein the token is translated into a suitable format for

programming the recording system to record the corresponding program (par. 0072,

par. 0084-par. 0087 – figure 19) and wherein the token translation is monitored by the

token service system to facilitate providing token services to the program provider

based on the token (met by the Internet service provider/remote access device provides

services to distribution facility (16) based on the program guide information i.e., record

the program if the token is schedule program recording – figures 19, par. 0019, par.

0099-par. 0103; par. 0132; par. 0163-0164). However, Ellis does not specifically

disclose the message including a token.

Hirata teaches receiving message including a token (receiving e-mail message having

video reservation information – figure 3). Therefore, it would have been obvious to one

of ordinary skill in the art at the time the invention was made to modify Ellis to use the

teaching of sending an associated token in the message as taught by Hirata in order to

provide an alternative way to send control information in Internet medium.

Regarding claim 42, Ellis further teaches the suitable format of the token includes data

indicative of at least two of time, date, and channel for the corresponding program in a

local tuning space (channel, storage device) associated with the client (figures 10-11).

Regarding claim 43, Ellis further teaches the token is translated into the suitable format

in response to the receiving the token at the client system (par. 0084).

Regarding claim 44, Ellis further the user enters password to access some program

such as pay per view (par. 0018, par. 0024) reads on the claimed feature of "the token

includes authentication data, the token being translated into the suitable format upon

authentication of the token at the client system."

Regarding claim 45, Ellis further discloses program guide distribution equipment 21 may

include, for example, suitable transmission hardware for distributing program guide data

on a television channel sideband, in the vertical blanking interval of television channel,

using an in band digital channel, using an out of band digital signal, or any other

suitable data transmission technique (par. 0069). Communication paths 20 and paths

19 may be any suitable wired or wireless communications paths (par. 0076).

Necessarily, a "local translator system" is included at the client system for translate the token (program guide information contain in recording request) into the suitable format.

Regarding claim 46, Ellis further teaches a translator system located at a remote server (e.g. Internet service system/remote access device), the client system providing a token translation request to the translator system for translating the token into the suitable format (par. 0093, par. 0096, par. 0099-par. 0102).

Regarding claim 47, Ellis further teaches the token includes a plurality of tokens, each token representing a segment of the corresponding programs (program guide information includes program times, channels, titles, description, the title represents the title of the corresponding program – figure 8).

Regarding claim 48, Ellis further discloses the program guide information comprises program listing data such as program times, titles, channels, description (figure 8). The program listing data is received and displayed on the screen as program guide display screens wherein the program guide information is organized in a predetermined order (figure 8). Necessarily, the client system programmed to dynamically combined selected segments (title, channel, time) of the corresponding program in a predetermined order (e.g. display on the same row).

Regarding claim 49, Ellis further discloses the client system is further programmed to

dynamically insert at least one of a plurality of other program segments (i.e., pop up

window or message) between adjacent pairs of the selected segments of the

corresponding program (i.e., segments of program being displayed on the screen) – see

par. 0118)

Regarding claim 50, Hirata further teaches the token is an email message, the token

being operatively associated with the email message (figures 10-11).

Regarding claim 51, the additional limitation as claimed correspond to the additional

limitation of claim 6, and are analyzed as discussed with respect to the rejection of claim

6.

Regarding claim 52, Ellis teaches a system to facilitate programming of an associated

recording system, comprising:

a client system (22 – figures 6a-6c) programmed to obtain a message from a remote

computer system (12, 24, 231, 235 – figures 1, 6a-6c), and a plurality of tokens

(program titles, times, channels, descriptions – figures 7-11), at least some of the

plurality of tokens representing different program segments (times, channels,

description, titles) of a corresponding program of at least one of an audio and visual

program (figures 7-11);

wherein each token associated with the corresponding program is translated into a

suitable format and linked for programming the recording system to record and link each

of the different program segments of the corresponding program (figures 8 – 11, par.

0084); and

a token service system to monitor token translation to provide token services to the

program's provider (16) – figure 6c, 19, par. 0019, 0084, par. 0099-0103, par. 0132, par.

0136-par. 0138), wherein the token services comprises one or more service additional

to programming the recording system and are provided are based on the plurality of

tokens (remote access device/Internet service system provides program guide

information such as schedule recording time, television program guide, etc. and the

television equipment performs the function based on the received program guide

information to distribution facility 16- figures 6c, 19, par. 0099-0103; par. 0163).

However, Ellis does not specifically disclose the message including a plurality of tokens.

Hirata teaches receiving message including a plurality of tokens (receiving e-mail

message having video reservation information – figure 10). Therefore, it would have

been obvious to one of ordinary skill in the art at the time the invention was made to

modify Ellis to use the teaching of sending an associated token in the message as

taught by Hirata in order to provide an alternative way to send control information in

Internet medium.

Regarding claim 62, the additional limitation as claimed correspond to the additional

limitation as claimed in claim 49, and are analyzed as discussed with respect to the

rejection of claim 49.

Regarding claims 53- 55, the limitations correspond to the limitations of claims 48-50,

and are analyzed as discussed with respect to the rejection of claims 48-50.

Regarding claim 63, the limitations as claimed correspond to the limitations as claimed

in claim 41, and are analyzed as discussed with respect to the rejection of claim 41.

Regarding claim 64, the limitations of the method as claimed correspond to the

limitations of the system as claimed in claim 41, and are analyzed as discussed with

respect to the rejection of claim 41. Ellis further teaches local tuning space (storage

devices 31, 32) for recording the program.

Regarding claims 65-66,69-70, the additional limitations as claimed correspond to the

additional limitations as claimed in claims 43-44,48-49, and are analyzed as discussed

with respect to the rejection of claims 43-44, 48-49.

Regarding claim 67, Ellis teaches connecting to a server system (e.g. 12 or 16, 24 –

figures 1, 6a-6c), submitting to the server system a translation request, and receiving at

the client system the local programming data for the program represented by the token (par. 0073).

Regarding claim 68, Ellis teaches translating at least some of the program criteria (categories, titles, times, etc.) into the local programming data at the client system (figures 7-11).

Regarding claims 56-61, the limitations as claimed are directed toward embodying the method of claims 64-69 in "computer readable medium". Ellis further discloses all functions are performed by using computer software (par. 0073). Inherently, the computer readable medium having computer executable instructions for performing the method of claims 64-69.

Regarding claim 71, Ellis teaches a method as discussed in the rejection of claim 64. Ellis further discloses all functions are performed by using computer software (par. 0073). Inherently, the computer readable medium having computer executable instructions for performing the method of claim 64.

Conclusion

7.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Russo (US 6,732,366) discloses stored program pay per play.

Ellis et al. (US 2004/00117831) teaches interactive television program guide system and method with niche hubs.

8.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son P. Huynh whose telephone number is 571-272-7295. The examiner can normally be reached on 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher C. Grant can be reached on 571-272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

9.   Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

SPH
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CHRISTOPHER GRANT
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600